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APPLICANT(S): STEPHENS, Adrian  
SERIAL NO.: 10/812,660  
FILED: March 29, 2004  
Page 8

### REMARKS

Applicant respectfully requests reconsideration of the above identified application in view of the foregoing amendments and following remarks.

#### Amendment to the Specification

Applicants have amended the Abstract. No new matter was added.

#### Status of Claims

Claims 10-11, 18-20, 27, 32, and the second numbered Claim 22 were cancelled previously. Claim 2 is cancelled with this paper, without prejudice to refilling in a continuation or divisional application. Accordingly, Claims 1, 3-9, 12-17, 21-26, 28-31, and 33-34 are now pending in the application. Claims 1, 3, 9, 17, 23-24, 31, and 33 have been amended. Applicant respectfully asserts that the amendments to the claims add no new matter.

#### Objection to the Abstract

In the Office Action, the Examiner objected to the Abstract. The Abstract has been amended, and Applicant requests withdrawal of the objection to the Abstract.

#### Claim Objections

In the Office Action, the Examiner objected to claims 23-26, 28-31, and 33-34 because of informalities. Claim 23 has been amended to depend from claim 17. Claims 24 and 31 have been amended in accordance with the Examiner's comments. Claim 33 has been amended to depend from claim 31. It is respectfully submitted that the amendments to claims 23, 24 and 31 overcome the objection to these claims, and thus Applicant requests withdrawal of the objection to claims 23-26, 28-31 and 33-34.

#### 35 U.S.C. § 112 Rejection

In the Office Action, the Examiner rejected claim 3 under 35 U.S.C. § 112 as being indefinite, asserting that the term "the multicast schedule" is confusing. Applicant has amended claim 3 replacing "a multicast schedule" with "a previous multicast schedule." Applicant request that the rejection of claim 3 under 35 U.S.C. § 112 should be withdrawn.

APPLICANT(S): STEPHENS, Adrian  
SERIAL NO.: 10/812,660  
FILED: March 29, 2004  
Page 9

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APR 21 2008

### 35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 1-3, 5, and 8 under 35 U.S.C. § 103(a), as being unpatentable over Pecen et al. (US 2005/0083961) in view of Angle et al (2003/0174701). Applicant respectfully submits that the rejection of claims 1-3, 5, and 8 under 35 U.S.C. § 103(a), as being unpatentable over Pecen in view of Angle should be withdrawn.

Amended independent claim 1 recites "sending a response to the client confirming scheduling of the request" and "configuring a power saving protocol of the client to accommodate the scheduled multicast delivery of the information." Neither Pecen nor Angle recites these features of claim 1. In particular, neither Pecen nor Angle address power saving protocols. Therefore, neither Pecen nor Angle alone or in combination render claim 1 obvious.

While the rejection of claim 9 is discussed below, for efficiency, that rejection will be discussed briefly here. Claim 9, as amended, includes "receiving a response confirming a scheduled multicast delivery of the information" and "configuring a power saving protocol to accommodate the scheduled multicast delivery of the information."

These limitations are not disclosed by Vook et al., U.S. Patent No. 5,636,220, cited by the Examiner in the rejection of claim 9. Vook's delivery of information is uncoordinated; e.g. there is no sending a response confirming scheduling of the request and no configuring a power saving protocol to accommodate the scheduled multicast delivery of the information. As can be seen in Vook's FIG. 4, Vook's device checks to see if the destination device is asleep and waits until it receives an acknowledgement before delivery (Vook's reference numerals 410-432); there is no *scheduled* multicast delivery.

Therefore, with respect to claim 9, and with respect to claim 1, Vook fails to cure the deficiencies of Pecen and Angle.

Benveniste, U.S. Patent Application No. 2005/0152324, also cited by the Examiner in the Office Action (as discussed below), also does not disclose the "sending" and "configuring a power saving protocol" discussed above. Benveniste's scheduled delivery using scheduled

APPLICANT(S): STEPHENS, Adrian  
SERIAL NO.: 10/812,660  
FILED: March 29, 2004  
Page 10

Automatic Power Save Delivery (APSD) is an automatic periodic period of reception. See Benveniste Paragraphs 0008 and 0015 (“...determining if scheduled APSD is used for a periodic downlink traffic stream from the AP [access point] to the station.”), Paragraphs 0057 and 0058 (“the method 100 begins with processing block 102 wherein a station enters awake mode. This may be done according to a schedule. In processing block 104, a Traffic Indication map (TIM) is received at the station. The TIM indicates the presences of any buffered frames for the station at the AP.”). Benveniste’s wakeup of the station is not an accommodation of a scheduled delivery, it is simply a scheduled wakeup. Benveniste does not coordinate power saving (or wakeup), to a scheduled delivery of information. Therefore, Benveniste fails to cure the deficiencies of Pecan and Angle as well.

The remaining two prior art citations in the Office Action discussed below, Pung (U.S. Patent Publication No. 2002/150099) and Chuah et al (U.S. Patent No. 7,096,039), also do not disclose the “sending” and “configuring a power saving protocol” limitations. Pung discloses a method for establishing a multicast route (Pung, Abstract). Pung’s confirmation does not include “confirming scheduling of the request” as in Applicant’s claim 1 (see Pung, paragraph 0025), and Pung does not disclose a power saving protocol. Chuah discloses improved backhaul multicasting (Chuah, column 2, lines 9-29), but fails to disclose “confirming a schedule request” and “configuring a power saving protocol.” Therefore, neither Pung nor Chuah cure the deficiencies of Pecan and Angle.

Claim 2 has been cancelled. Claims 3, 5, and 8 depend from claim 1 and include all of the features of claim 1 as well as additional distinguishing features and are therefore patentable.

Therefore, Applicant respectfully requests that the rejection of claims 1-3, 5, and 8 under 35 U.S.C. § 103(a), as being unpatentable over Pecan in view of Angle be withdrawn.

In the Office Action, the Examiner rejected claim 4 under 35 U.S.C. § 103(a), as being unpatentable over Pecan in view of Angle and further in view of Pung. Applicant respectfully submits that the rejection of claim 4 under 35 U.S.C. § 103(a), as being unpatentable over Pecan in view of Angle and further in view of Pung should be withdrawn.

APPLICANT(S): STEPHENS, Adrian  
SERIAL NO.: 10/812,660  
FILED: March 29, 2004  
Page 11

Claim 4 depends from claim 1 and includes the limitations of that claim as well as additional distinguishing features. As discussed above, claim 1 is allowable over Pecen and Angle, and the addition of Pung does not cure the deficiencies of Pecen and Angle. Therefore, Applicant respectfully submits that claim 4 is allowable over the cited prior art, and the rejection of claim 4 under 35 U.S.C. § 103(a), as being unpatentable over Pecen in view of Angle and further in view of Pung should be withdrawn.

In the Office Action, the Examiner rejected claims 12 and 33 under 35 U.S.C. § 103(a), as being unpatentable over Pecen in view of Angle, further in view of Vook and further in view of Pung. Applicant respectfully submits that the rejection of claims 12 and 13 under 35 U.S.C. § 103(a), as being unpatentable over Pecen in view of Angle, further in view of Vook and further in view of Pung should be withdrawn.

Claim 12 depends from independent claim 9 and includes all the features of claim 9 and additional distinguishing features. Claim 9 recites, *inter alia*, "receiving a response confirming a scheduled multicast delivery of the information, the scheduled multicast delivery of the information created in response to the request for delivery of the information" and "configuring a power saving protocol to accommodate the scheduled multicast delivery of the information." While the limitations of claim 9 and claim 1 are not identical, the above discussion of claim 1 shows that none of Pecen, Angle, Vook, or Pung recites these features of claim 9. Therefore, none of Pecen, Angle, Vook, or Pung alone or in combination renders claim 12 obvious.

Claim 33 depends from claim 31 and includes all the features of claim 31 and additional distinguishing features. Claim 31 recites, *inter alia*, "to determine a wireless multicast delivery schedule in accordance with power saving modes of multiple client devices and to notify the multiple client devices of the multicast delivery schedule" and "a power saving protocol of the multiple clients is configured to accommodate the scheduled multicast delivery." While the limitations of claim 31 and claim 1 are not identical, the above discussion of claim 1 shows that none of Pecen, Angle, Vook, or Pung recites these features of claim 31. Therefore, none of Pecen, Angle, Vook, or Pung alone or in combination renders claim 33 obvious.

APPLICANT(S): STEPHENS, Adrian  
SERIAL NO.: 10/812,660  
FILED: March 29, 2004  
Page 12

Therefore, Applicant respectfully requests that the rejection of claims 12 and 33 under 35 U.S.C. § 103(a), as being unpatentable over Pecen in view of Angle, further in view of Vook and further in view of Pung be withdrawn.

In the Office Action, the Examiner rejected claim 6 under 35 U.S.C. § 103(a), as being unpatentable over Pecen in view of Angle and further in view of Chuah and claim 7 under 35 U.S.C. § 103(a), as being unpatentable over Pecen in view of Angle and further in view of Benveniste. Applicant respectfully submits that the rejections of claim 6 under 35 U.S.C. § 103(a), as being unpatentable over Pecen in view of Angle and further in view of Chuah and claim 7 under 35 U.S.C. § 103(a), as being unpatentable over Pecen in view of Angle and further in view of Benveniste should be withdrawn.

Claims 6 and 7 depend from claim 1 and include all of the features of claim 1 as well as additional distinguishing features. As discussed above, the additions of Chuah and/or Benveniste does not cure the deficiencies of Pecen and Angle. Therefore, Applicant respectfully requests the rejections of claim 6 under 35 U.S.C. § 103(a), as being unpatentable over Pecen in view of Angle and further in view of Chuah and claim 7 under 35 U.S.C. § 103(a), as being unpatentable over Pecen in view of Angle and further in view of Benveniste be withdrawn.

In the Office Action, the Examiner rejected claims 9, 13, 14, 17, 22-26, 28-32, and 34 under 35 U.S.C. § 103(a), as being unpatentable over Pecen in view of Angle and further in view of Vook. Applicant respectfully submits the rejection of claims 9, 13, 14, 17, 22-26, 28-32, and 34 as being unpatentable over Pecen in view of Angle and further in view of Vook should be withdrawn.

Claim 32 was cancelled previously, rendering its rejection moot.

The allowability over Pecen, Angle, and Vook of independent claims 9 and 31 and the claims dependent therefrom is discussed above. Therefore claims 13 and 14 which depend from claim 9 and claim 34 which depends from claim 31 are likewise allowable.

APPLICANT(S): STEPHENS, Adrian  
SERIAL NO.: 10/812,660  
FILED: March 29, 2004  
Page 13

Amended independent claim 17 recites "a processing circuit to coordinate a power saving mode of the apparatus with a multicast delivery schedule specified by a network device" and "to receive a notification from the network device of the multicast delivery schedule" wherein "the scheduled multicast delivery of the information created in response to the request for delivery of information." Amended independent claim 24 recites a circuit "to notify the multiple client devices of the multicast schedule" and "a power saving protocol of the multiple clients is configured to accommodate the scheduled multicast delivery." While these limitations are not identical to those in claim 1, the above discussion of claim 1 is applicable here. None of Pecen, Angle, and Vook discloses these features of independent claims 17 and 24. Therefore, Pecen, Angle, and Vook alone or in combination do not render independent claims 17 and 24 and the claims dependent therefrom obvious. Accordingly, Applicant respectfully requests that the rejection of claims 9, 13, 14, 17, 22-26, 28-32, and 34 under 35 U.S.C. § 103(a), as being unpatentable over Pecen in view of Angle and further in view of Vook be withdrawn.

In the Office Action, the Examiner rejected claim 15 under 35 U.S.C. § 103(a), as being unpatentable over Pecen in view of Angle, further in view of Vook as applied to claim 9 above and further in view of Benveniste, and claims 16, 21 under 5 U.S.C. § 103(a), as being unpatentable over Pecen in view of Angle, further in view of Vook as applied to claim 9 above and further in view of Chuah. Applicant respectfully submits that the rejections of claim 15 under 35 U.S.C. § 103(a), as being unpatentable over Pecen in view of Angle, further in view of Vook as applied to claim 9 above and further in view of Benveniste, and claims 16, 21 under 5 U.S.C. § 103(a), as being unpatentable over Pecen in view of Angle, further in view of Vook as applied to claim 9 above and further in view of Chuah should be withdrawn.

Claims 15 and 16 depend from independent claim 9, and claim 21 depends from independent claim 17 and each includes all of the limitations of their respective independent claims as well as additional distinguishing features. As discussed above, claims 9 and 17 are not made obvious by Pecen alone or in combination with Angle, Vook, and/or Chuah. Therefore, it is respectfully submitted that Pecen, Angle, Vook and Chuah alone or in

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APR 21 2008

APPLICANT(S): STEPHENS, Adrian  
SERIAL NO.: 10/812,660  
FILED: March 29, 2004  
Page 14

combination do not render claims 15, 16 and 21 obvious. Accordingly, Applicant respectfully requests that the rejection of claim 15 under 35 U.S.C. § 103(a), as being unpatentable over Pecen in view of Angle, further in view of Vook as applied to claim 9 above and further in view of Benveniste, and claims 16, 21 under 5 U.S.C. § 103(a), as being unpatentable over Pecen in view of Angle, further in view of Vook as applied to claim 9 above and further in view of Chuah be withdrawn.

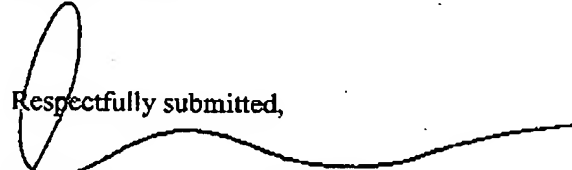
### Conclusion

In view of the foregoing amendment and remarks, and for at least the reasons discussed above, Applicants respectfully submit that the claims are allowable. Their favorable reconsideration and allowance are respectfully requested.

Should the Examiner have any questions or comments as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

No fees are believed to be due associated with this paper; however, if any fees are due, please charge such fees to deposit account No. 50-3355.

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